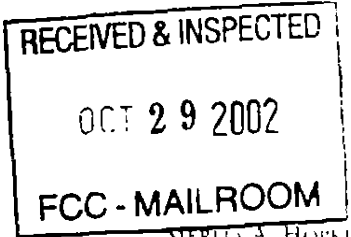


ORIGINAL

CITY OF BOSTON  
LAW DEPARTMENTCity Hall Room 615  
Boston, MA 02201THOMAS M. MENINO  
MayorMERITA A. HOPKINS  
Corporation Counsel

October 18, 2002

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Re: *Ex Parte* Submission in GN Docket No. 00-185 and CS Docket No. 02-53, CC Docket No. 96-98 and WT Docket No. 99-217, and CC Docket 98-146.

Dear Ms. Dorrch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, the Commission's Local and State Government Advisory Committee (the "LSGAC"), on behalf of itself and the other local and state governmental entities listed in Attachment I, submits this notice of *ex parte* communication in the above-captioned proceedings.

On September 27, 2002, members and staff of the LSGAC (see **Ex. 1**) met with Representatives of the Industry Rights-of-Way Working Group ("IRWWG"). See **Ex. 2**. At this meeting, there was a discussion of various rights of way related topics, including conditions for using the public rights of way, registration requirements, construction standards, placement of facilities, restoration requirements, mapping, audits, penalties and indemnification. It was agreed that progress was made in addressing the various issues, and the parties **hope** to meet again at the LSGAC's next meeting on November 15, 2002.

Thank you for your attention to this matter. Please direct any questions regarding this *ex parte* submission to the undersigned.

Merita A. Hopkins  
Corporation Counsel  
Eve A. Piemonte Stacey  
Assistant Corporation Counsel  
for Thomas M. Menino  
Mayor, City of Boston  
On behalf of the LSGAC

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LOCAL AND STATE GOVERNMENT ADVISORY COMMITTEE

*Ex Parte Filing for September 27, 2002*

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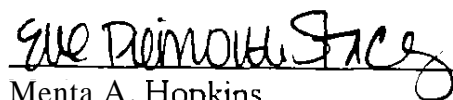
**RE:** Rate Regulations – MM Docket Nos. 92-266 and 93-215  
Adoption of Uniform Accounting System for the Provision of Regulated Cable Service – CS Docket No. 94-28  
Cable Pricing Flexibility – CS Docket No. 96-157

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The FCC's Local and State Government Advisory Committee ("LSGAC") met on September 27, 2002 at the FCC's Headquarters at the Portals in Washington, D.C. As is its practice, the FCC staff delivered presentations to LSGAC committee members and/or representatives of the LSGAC members on a variety of topics. The topics discussed are included in the Meeting Agenda attached hereto as **Exhibit A**. Names of presenters, FCC staff, LSGAC committee members and representatives of the LSGAC members who attended **part** or all of the meeting are listed on the March 22, 2002 sign-in sheet attached hereto as **Exhibits B and C**.

FCC staff provided an update to the LSGAC on the pending deadlines for these proceedings. The LSGAC was informed of the issues raised by the NPRM, including 1) whether rate regulation is working properly; 2) policy questions; and 3) accounting practices.

Although the presentations at the meeting may not be considered *ex parte* proceedings as defined by the FCC and other controlling statutes, rules or regulations, in the interest of providing notice and disclosure of these presentations to all interested parties, the LSGAC submits this *ex parte* filing.



Menta A. Hopkins  
Corporation Counsel  
Eve A. Piemonte Stacey  
Assistant Corporation Counsel  
for Thomas M. Menino  
Mayor, City of Boston

**DRAFT**

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**FCC LOCAL AND STATE GOVERNMENT ADVISORY COMMITTEE**

**MEETING AGENDA**

Friday, September 27, 2002

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**LOCATION:**

**FCC Offices, The Portals, 445 12<sup>th</sup> Street S.W.**  
Commission Meeting Room (12<sup>th</sup> Street entrance level)

8:30 a.m.

Greetings & Introductions

9:00 a.m. – 9:30 a.m.

LSGAC and its Staff discussion and preparation for meeting with Industry Rights of Way Working Group (LSGAC and its Staff only).

9:30 a.m. – 11:30 a.m.

Meeting with IROWWG (LSGAC, its Staff, FCC Staff and invited guests only).

11:30 a.m. – Noon

Discussion with FCC staff re: status of 10116 ROW Forum (LSGAC, its Staff and FCC Staff only)

Noon - 1:30 p.m.

Working lunch -- FCC and LSGAC discussion of various issues (LSGAC, its Staff and FCC Staff only).

Update from FCC Staff on status of cable modem, DSL, wireline deregulation and competitive networks proceedings.

- Update from FCC Staff on Revisions to Cable Television Rate Regulations; Implementation of Sections of the Cable Television Consumer Protection and Competition Act of 1992; Rate Regulations (MM Docket Nos. 92-266 and 93-215); Adoption of a Uniform Accounting System for the Provision of Regulated Cable Service (CS Docket No. 94-28); and Cable Pricing Flexibility (CS Docket No. 96-157).

*xx  
pause*

Update from FCC Staff on status of AT&T – Comcast merger and Direct TV – Echostar merger.

1:30 p.m. – 2:00 p.m.

TENTATIVE – NO CONFIRMATION YET FROM COMMISSION ON THIS ITEM: LSGAC discussion with Chairman, Commissioners and Bureau Chiefs from Media and OGC (or their representatives) to address issues raised in August 20<sup>th</sup> letter regarding cable modem decision, franchise fees and customer service standards (LSGAC, its Staff and FCC Staff only).

*xx  
pause*

2:00 p.m. – 2:45 p.m.

LSGAC discussion of follow-up to ROW meetings and preparation for ROW Forum (LSGAC and its Staff only).

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2:45 p.m. – 3:00 p.m.	Break
3:00 p.m. – 3:45 p.m.	LSGAC discussion of possible advisory recommendation in Anne Arundel, cable modem and DSL proceedings (LSGAC and its Staff only).
3:45 p.m. – 4:00 p.m.	LSGAC vacancies/public notice/appointment schedule (LSGAC, its Staff and FCC Staff only).
4:00 p.m. – 4:15 p.m.	Upcoming meeting schedule/Other issues
4:15 p.m.	Adjourn.

**LSGAC 9/27/02  
Staff & Members**

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**OCT 29 2002**

Name	City/Organization	E-Mail <b>FCC - MAIL ROOM</b>
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David Svanda	MPSC-Michigan	<a href="mailto:dasyvand@pahousegon.com">dasyvand@pahousegon.com</a>
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Steve Stovell	Plano, TX	<a href="mailto:ssstovall@gmail.plano.gov">sstovall@gmail.plano.gov</a>
Randy Johnson	Hennepin Co., MN	<a href="mailto:Randy.Johnson@co.hennepin">Randy.Johnson@co.hennepin</a>
Patrick Spears	Intertribal COUP	<a href="mailto:Paspears2@aol.com">Paspears2@aol.com</a>

**LSGAC Guests 9-27-02**

<b>Name</b>	<b>Organization</b>	<b>Title</b>	<b>E-Mail</b>
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Scott Thompson	Cole Royard	Partner	Sthompson@CRBLaw.com
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Peggy Greene	FCC	Media Bureau	pgreene@fcc.gov
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June Taylor	FCC		jtaylor@fcc.gov
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Michael Spears	Icorp		mspears@aol.com
Scott Bergman	FCC (WCB)		sbergman@fcc.gov
John Norton	FCC – MB		jnorton@fcc.gov
Dane Snowden (EPS)	FCC		
Ken Ferree (EPS)	FCC-MB		Kferree@fcc.gov

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